



**FINAL ADMINISTRATIVE DECISION  
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Susan London  
DOCKET NO.: 07-22661.001-R-1  
PARCEL NO.: 05-30-400-022-0000

The parties of record before the Property Tax Appeal Board are Susan London, the appellant(s); and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$ 12,152  
**IMPR.:** \$ 43,570  
**TOTAL:** \$ 55,722

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an 8,439 square foot parcel improved with a nineteen-year-old, multi-level, single-family dwelling of masonry construction located in New Trier Township, Cook County. Features of the residence include two and one-half bathrooms, a full-unfinished basement, central air-conditioning, a fireplace and a two-car attached garage. The appellant argued that the subject dwelling contains 2,624 square feet of living area and provided an appraisal report performed by a certified State of Illinois appraiser. Along with the report was a schematic delineating and listing the outside measurements of the subject improvement. The schematic and listing indicate the subject contains 2,624 square feet of living area. The board's documents indicate the subject improvement contains 2,686 square feet of living area.

The appellant appeared before the Property Tax Appeal Board and raised two arguments: first, that there was unequal treatment in

the assessment process; and second, that the fair market value of the subject is not accurately reflected in its assessed value. In support of the inequity argument, the appellant submitted a grid analysis indicating there are 42 class 2-34 or multi-level properties in the subject's neighborhood 120 and of those 42 properties; 21 have total assessments ranging from \$40,000 to \$49,999, 13 have total assessments ranging from \$50,000 to \$59,999 and 7 properties are assessed between \$60,000 and \$69,999, while the subject's total assessment is \$75,850.

The appellant also submitted assessment data and descriptive information on three class 2-34 properties with the second, third and fourth highest assessments in the subject's neighborhood 120. These three properties consist of multi-level, single-family dwellings of masonry or frame and masonry construction located within two blocks of the subject. The improvements range in size from 2,084 to 2,552 square feet of living area and range in age from 40 to 48 years. The comparables contain two and one-half or three and one-half bathrooms, a partial-finished basement, central air-conditioning and a fireplace. Two of the comparables have a multi-car garage. The total assessments range from \$64,873 to \$69,797, the improvement assessments range from \$51,777 to \$57,285 and the land assessments range from \$12,512 to \$13,096.

In support of market value claim, the appellant submitted a uniform residential appraisal report prepared by Gregory Feldman of Advanced Appraisal Ltd., of Highland Park. The appraisal revealed that Feldman is a State of Illinois certified real estate appraiser. The appraisal disclosed that Feldman inspected the interior and exterior of the subject as well as the exterior of all properties listed as comparables in the report. The appraiser utilized the sales comparison approach as well as the cost approach to estimate a market value of \$555,000 for the subject as of March 5, 2008.

In the sales comparison approach to value, the appraiser employed the sales of three properties located within a distance of .84 miles from the subject. The comparables consist of one-story or multi-level, single-family dwellings of frame and masonry construction ranging from 45 to 53 years in age. The lots range in size from 13,029 to 79,200 square feet and the improvements range in size from 1,821 to 2,407 square feet of living area. The comparables sold between August 2007 and December 2007 for prices ranging from \$520,000 to \$600,000, or from \$216.04 to \$328.77 per square foot of living area, including land. After making adjustments, the appraiser concluded a value for the subject via the sales comparison approach of \$555,000 as of March 8, 2008.

In the cost approach, the appraiser estimated the value of the subject site to be \$300,000. The appraiser then estimated a reproduction cost for the subject of \$386,496. Accrued

depreciation based on the age/life method was estimated to be \$38,000 and deducted from the estimated reproduction cost. A cost of \$10,000 for other site improvements was added to the depreciated cost of the main improvement, as was the land value of \$300,000. Thus, the appraiser determined a value for the subject via the cost approach of \$658,500 as of March 8, 2008.

In reconciling the two approaches to value, the appellant's appraiser indicated that the most weight was given to the sales comparison approach with the cost approach used in support. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of \$555,000.

At the hearing, the appellant argued that the subject's location has a negative impact on its market value. The appellant stated that the subject property is located directly across the street from a major high school, right at the Eden's Expressway exit ramp and within 150 feet of a major cell tower. The appellant argued that the appellant's three suggested comparables with the highest assessed values in the subject's neighborhood 120 have nice backyards with two of the comparables abutting Forest Preserve.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$75,850. In support of the assessment, the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with multi-level, single-family dwellings of masonry construction with the same neighborhood code as the subject. The improvements range in size from 1,743 to 2,084 square feet of living area and range in age from 41 to 51 years. The comparables contain two and one-half or three and one-half bathrooms, a partial-finished basement and central air-conditioning. Two comparables have a fireplace and three comparables contain a two-car attached garage. The improvement assessments range from \$23.96 to \$25.92 per square foot of living area.

At hearing, the board's representative stated that the board of review's comparables are similar to the subject in size, design, age, amenities and location and indicated that the board of review would rest on the written evidence submissions. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted evidence highlighting various differences between the subject and the board of review's comparables.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the

parties and the subject matter of this appeal. The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation.

When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having considered the evidence presented, the Board finds the appellant has satisfied this burden and a reduction is warranted.

The first issue before the Board is the correct square footage attributable to the subject improvement. The Board finds that the appellant presented schematics and a listing of the outside measurements of the subject improvement indicating the subject contains 2,624 square feet of living area. The Board finds that the board of review did not submit any documentation supporting its contention the subject improvement contains 2,686 square feet of living area. Consequently, the Board finds the subject improvement contains 2,624 square feet of living area. The subject's improvement assessment is \$63,698 or \$24.28 per square foot of living area, based on 2,624 square feet.

Next, the Property Tax Appeal Board finds that the appellant submitted a uniform residential appraisal report utilizing the sales comparison approach as well as the cost approach to value. The Board finds that the appraisal was prepared by a State of Illinois certified appraiser. The Board also finds the appellant's appraisal is the most credible evidence in the record of the subject's market value and accords the appraisal report primary weight.

Further, the Board finds that the board of review did not address the appellant's contention that the subject's market value is not reflected in its assessment. The board submitted equity comparables that have little similarity to the subject and accords the board of review's evidence diminished weight.

Therefore, the Property Tax Appeal Board finds the appellant has met the burden of proving the value of the subject property by a preponderance of the evidence. Further, the Board finds the subject had a fair market value of \$555,000 as of January 1, 2007. Since fair market value has been established, the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property shall apply and a reduction is the subject's assessment is appropriate.

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As a final point, The Board finds no further reduction based on the appellant's equity argument is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*Shawn R. Lerbis*

Member

DISSENTING:

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: November 25, 2009

*Allen Castrovillari*

Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.